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Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. of: BURNSIDE, Diane K., et al. Art Group: 3731
Serial No.: 10/674,726 Examiner:
Filed: September 30, 2003 Atty. Docket: 23,369-155
For: Stent Graft With Bioabsorbable Support

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing are the following items:

1. Supplemental Information Disclosure Statement Under 37 CFR 1.56 (2 pages); with attached Information Disclosure Statement by Applicant, Forms PTO/SB/08A and PTO/SB/08B (7 pages); and
2. Return Receipt Post Card.

The Commissioner is hereby authorized to charge any fee necessitated by this correspondence to Deposit Account No. 12-0449.

Any questions or comments regarding this correspondence should be directed to Frederick W. Niebuhr at 952-896-1574.

Respectfully submitted,

Boston Scientific Scimed, Inc.

Dated: July 23, 2004

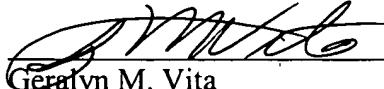
By: Frederick W. Niebuhr
Frederick W. Niebuhr
Reg. No. 27,717
Customer No. 23452



CERTIFICATE OF MAILING

I hereby certify that this Transmittal and accompanying Supplemental Information Disclosure Statement under 37 CFR 1.56 and Forms PTO/SB/08A and PTO/SB/08B, in Application Serial No. 10/674,726, are being deposited with the U.S. Postal Service by first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of deposit indicated below.

Date of Deposit: July 23, 2004


Geraldyn M. Vita

954528.1



Patent Application

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Art Group: 3731

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Examiner:

Filed: September 30, 2003

Atty. Docket: 23,369-155

For: Stent Graft with Bioabsorbable Support

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

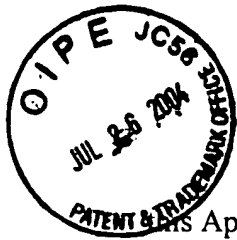
Sir:

In recognition of the duty of disclosure under 37 CFR 1.56, enclosed is a copy of Forms PTO/SB/08A and PTO/SB/08B (Substitute for PTO-1449) listing the references considered of interest in connection with the above-identified application are enclosed. All of these references were identified, and copies were provided, during prosecution of the parent application, Serial No. 08/993,985 now issued as U.S. Patent No. 6,626,939.

These materials are being filed in accordance with 37 CFR 1.97(b), i.e., before the mailing date of the first Office Action on the merits. No fee is required.

The Examiner is respectfully requested to:

- (1) fully consider each of these references in the course of examining the above-identified Application;
- (2) initial and return a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449) as an indication that the references have been considered; and

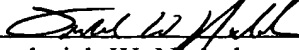


(3) include the references among the "Reference Cited" in any patent issuing from this Application.

Respectfully submitted,

Boston Scientific Scimed, Inc.

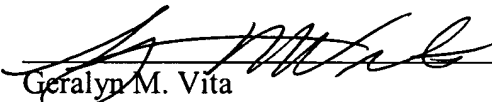
Date: July 23, 2004

By: 
Frederick W. Niebuhr
Registration No. 27,717
Customer No. 23452

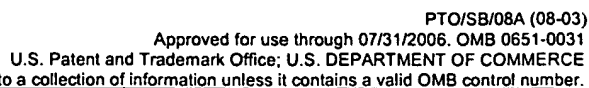
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GERALYN M. VITA

954538.1



Complete if Known

(Use as many sheets as necessary)

Sheet	1	of	7
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Application Number	10/674726
Filing Date	September 30, 2003
First Named Inventor	Diane K. Burnside
Art Unit	3731
Examiner Name	
Attorney Docket Number	23.369-155

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FOREIGN PATENT DOCUMENTS						T ⁶
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
		EP 0183372 A1	06/04/1986			
		EP 0679372 A2	01/03/1996			
		EP 0689807 A2	08/07/1996			
		EP 0709068 A2	05/01/1996			
		EP 0775472 A2	05/28/1997			
		WO 9605872	02/29/1996			

**Examiner
Signature**

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	7
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U. S. PATENT DOCUMENTS

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
		WO 80/02641	12/11/1980			
		WO 90/01969	03/08/1990			
		WO 90/04982	05/17/1990			
		WO 91/10766	07/25/1991			
		WO 92/16166	10/01/1992			
		WO 94/06372	03/31/1994			

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Sheet 3

of 7

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First Named Inventor	Diane K. Burnside
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Art Unit	3731
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		WO 94/06373	03/31/1994			
		WO 96/40000	12/19/1996			

**Examiner
Signature**

Date
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		Examiner Name	
Sheet 4	of 7	Attorney Docket Number	23369-155

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Advertisement for Spire Corporation radiopaque coating technology, Medical Products Manufacturing News, Mar. 1997, p. 30.	
		Studies on a new radiopaque polymeric biomaterial, A. Benzina, M.A.B. Krift, F. Bar, F.H. van der Veen, C.W. Bastiaansen, V. Heijnen, C. Reutelingsperger, and L.H. Koole, Biomaterials 1994, Vol. 15, No. 14, pp. 1122-1128.	
		Studies on a radio-paque polymeric biomaterials with potential applications to endovascular prostheses, M. Krift, A. Benzina, R. Blezer, and L. Koole, Biomaterials 1996, vol. 17, No. 18, pp. 1803-1812.	
		Advertisement for radiopaque polymers for medical device manufacturing, New Endland Urethane, Inc.	
		Gianturco-Roubin Flex-Stent GR11, M-D-DI Report - "The Gray Sheet," Mar. 4, 1996.	
		Bioabsorbable Stent and Method for Making the Same, Assignee: Duke University.	
		Development of a Polymer Endovascular Prosthesis and Its Implantation in Porcine Arteries, William J. Van der Giessen, M.D., et al., Journal of Interventional Cardiology, vol. 5, No. 3, 1992, pp. 175-185.	
		Role of Polymers in improving the results of stenting in coronary arteries, Tao Peng, et al., Biomaterials 1996, vol. 17, No. 7, pp. 685-694.	
		Bioabsorbable, Drug-Eluting, Intracoronary Stents: Design and Future Applications, R. S. Schwartz, et al., Coronary Stents (1992), pp. 135-154.	
		Ten Years of Stenting: What Next?, Ulrich Sigwart, M.D., FRCP, FACC, FESC, Journal of Interventional Cardiology, vol. 10, No. 3, pp. 195-205.	

Examiner Signature	Date Considered
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		First Named Inventor	Diane K. Burnside		
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Sheet	5	of	7	Attorney Docket Number	23369-155

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Biocompatibility of solid poly (ortho ester), M. Ekholm, et al., Journal of Materials Science: Materials in Medicine 8, (1997), pp. 265-269.	
		The Polymer Stent, Jean-Francois Tanguay, et al., Endoluminal Stenting, pp./ 216-225.	
		Biocomponent vascular grafts consisting of synthetic absorbable fibers, I. In vitro Study, Tamg-Jenn Yu and C.C. Chu, Journal of Biomedical Materials Research, Vol. 27, 1329-1339 (1993).	
		Deformation Characteristics of a Bioabsorbable Intravascular Stent, C. Mauli Agrawal, Ph.D., PE. and Howard G. Clark, Ph.D., Investigative Radiology, December 1992, Vol. 27, pages 1020-1024.	
		Biomedical Applications of Synthetic Biodegradable Polymers, Edited by Jeffrey O. Hollinger, D.D.S., Ph.D., CRC Press, page 21.	
		Seventh Complex Coronary Angioplasty Course, May 1996, page 257.	
		Synthetic Bioabsorbable Polymers, Thomas H. Barrows, Ph.D., High Performance Biomaterials, Szycher ed., pages 243-257.	
		Wound Closure Biomaterials and Devices, C.C. Chu, J.A. von Fraunhofer, and H.P. Greisler, CRC Press, Boca Raton, FL, 1997, pp. 131-235.	
		In Vitro Degradation of Polylactides Depending on Different Processes. M. Dauner, E. Muller, B. Wagner, and H. Planck, Degradation Phenomena on Polymeric Biomaterials, H. Planck, M. Dauner, M. Renardy (eds), Springer-Verlag, Berlin, 1992, pages 107-122.	
		Long-term in vivo degradation and bone reaction to various polyactides, P. Mainil-Varlet, B. Rahn, and S. Gogolewski, Biomaterials 1997, Volume 18 No. 3, pp. 257-266.	

Examiner Signature		Date Considered	
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Sheet	6	of	7	Attorney Docket Number	23369-155

NON PATENT LITERATURE DOCUMENTS			
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		Current Status of Biodegradable Stents. J.F. Tanguay, M.D., J.P. Zidar, M.D., H.R. Phillips, III, M.D., and R. S. Stack, M.D., Cardiology Clinics, Volume 12, No. 4, November 1994, pp. 699-713.	
		Perspectives on the In Vivo Responses of Biodegradable Polymers, James M. Anderson, M.D., Ph.D., CRC Press Inc. 1995, pages 223-233.	
		Advances in Controlled Release Technology; Polymeric Delivery Systems for Drugs, Pesticides and Foods; New Methods of Drug Delivery, Robert Langer, Science Vol. 249, pages 1527-1533.	
		Advances in Controlled Release Technology; Polymeric Delivery System for Drugs, Pesticides and Foods: Fundamentals of pH and Temperature-Sensitive Polymer, Nicholas A. Peppas, pages 32-45.	
		Enhancement of the Mechanical Properties of Polylactides by solid-state extrusion, Walter Weiler and Sylwester Gogolewski, Biomaterials 17 (1996), pages 529-535.	
		The Physics of Radiology, H.E. Johns and J.R. Cunningham, pages 137-142.	
		U.S. Patent Application Serial No. 08/598,751 entitled "Titanium Alloy Self-Expanding Stent," filed April 30, 1996, which is commonly owned by the assignee of the above-captioned application.	
		U.S. Patent Application Serial No. 08/640,253 entitled "Cobalt-Chromium-Molybdenum Alloy Stent," filed April 30, 1996, which is commonly owned by the assignee of the above-captioned application.	
		U.S. Patent Application Serial No. 08/904,467 entitled "Bioabsorbable Self-Expanding Stent," filed August 1, 1997, which is commonly owned by the assignee of the above-captioned application.	
		U.S. Patent Application Serial No. 08/905,806 entitled "Bioabsorbable Implantable Endoprosthesis with Reservoir and Method of Using Same," filed August 1, 1997, which is commonly owned by the assignee of the above-captioned application.	

Examiner Signature	Date Considered
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Attorney Docket Number	23369-155

Sheet

7

of

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NON PATENT LITERATURE DOCUMENTS

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		U.S. Patent Application Serial No. 08/946,906, entitled "Stent Graft with Braided Polymeric Sleeve," filed October 8, 1997, which claims the benefit of United States Provisional Patent Application Serial No. 60/036,160, filed January 23, 1997 and is commonly owned by assignee of above-referenced application.	
		U.S. Patent Application Serial No. 08/640,062, entitled "Braided Composit Prosthesis," filed April 30, 1996, which is commonly owned by the assignee of the above-captioned application.	
		U.S. Patent Application Serial No. 08/640,091, entitled "Three-Dimensional Braided Covered Stent," filed April 30, 1996, which is commonly owned by the assignee of the above-captioned application.	
		U.S. Patent Application Serial No. 08/905,821, entitled "Radiopaque Markers and Methods of Using the Same," filed August 1, 1997, which is commonly owned by the assignee of the above-captioned application.	
		U.S. Patent Application Serial No. 08/904,951, entitled "Bioabsorbable Marker Having Radiopaque Constituents and Methods of Using Same," filed August 1, 1997, which is commonly owned by the assignee of the above-captioned application.	
		U.S. Patent Application Serial No. 08/833,639, entitled "Catheter Reinforcing Braids," filed April 8, 1997, which is commonly owned by the assignee of the above-captioned application.	

Examiner
SignatureDate
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